

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

FELICIA A. WALTERS

PLAINTIFF

VS.

CIVIL ACTION NO. 2:10CV00065-DAS

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

FINAL JUDGMENT

Following oral argument during a hearing held before the undersigned United States Magistrate Judge on March 29, 2011, the court determined that the ALJ's decision is not supported by substantial evidence. Specifically, the ALJ's decision failed to provide an adequate explanation of why the claimant's condition does not meet or equal Listing 11.02 or 11.03. While there is no dispute that the claimant does not suffer from epilepsy, the court is concerned that the previous ALJ's treatment of her pseudoseizure diagnosis may not have been thorough enough. *See Boiles v. Barnhart*, 395 F.3d 421 (7th Cir. 2005). Accordingly, on remand the Commissioner shall assign the case to a new ALJ. The new ALJ shall reconsider all of the medical evidence and make specific findings regarding whether the claimant's condition meets or equals either Listing 11.02 or 11.03. The ALJ may conduct any further proceedings not inconsistent with this order.

The parties, having consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit,

IT IS, THEREFORE, ORDERED AND ADJUDGED:

That this case is hereby **REMANDED** to the Commissioner for further proceedings as set

out above.

THIS, 30th day of March, 2011.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE